

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

Dated this the 30th day of June, 1998

BEFORE

THE HON'BLE MR. JUSTICE V.P. MOHAN KUMAR

WRIT PETITION NO. 6060 OF 1992

BETWEEN :

1. Smt. Shivawwa, wife of
Basappa Sajjanar, aged
about 76 years,
Household work and
Agriculture, residing in
Ingalgi, Kundgol Taluk,
Dharwar District,
by his P.A. Holder
Channappa Basappa Sajjanar,
36 years, occ : Agriculture
2. Channappa Basappa Sajjanar,
aged 36 years, occ : Agriculture
3. Mahadevappa Basappa Sajjanar,
aged 46 years, Agril,
R/o Both Ingalagi,
Kundgol Taluk of Dharwad District

.. PETITIONERS

(Sri S.P. Kulkarni, Advocate)

A N D :

1. The Tahsildar,
Shiggaon Taluk,
Dharwar District

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2. The Asst. Commissioner,
Savanur Sub-Division,
Savanur, Dharwar District
3. The State of Karnataka,
represented by its
Secretary, Revenue Department,
Vidhana Soudha,
Bangalore - 1
4. Mallappa Basappa Sajjanar,
age 56 years, occ : Agriculture,
residing in Ingalagi, Kundgol
Taluk, Dharwar District

.. RESPONDENTS

(Sri Jayakumar S. Patil for R - 4
Sri N.P. Singri, H.C.G.P. for R- 1 to 3)

Writ Petition filed under Articles 226 & 227 of the Constitution of India, praying to; issue a writ of certiorari or any other writ, order or direction quashing the order dated 8-7-91 Annexure 'E' passed by the Assistant Commissioner, Savanur Sub-Division, Savanur (2nd respondent) made in No. RTS.AP/SR. 37/89-90 setting aside the ME.No. 882/pertaining to sy.No. 27/1 of Ken - gapur village, Taluk Shiggaon, Dharwar District;vide Annexure-E; issue a direction to the respondents 1 to 3 to continue the said M.E.No. 882 pertaining to Sy.No. 27/1 of Kangapur village, Taluk Shiggaon, Dharwar District and etc.

This Writ Petition coming on for Hearing, this day, the Court made the following :

O R D E R



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O_R_D_E_R

The dispute in this writ petition is between mother and children. The writ petition relates to the entry made in the mutation register by the Tahsildar. I am informed by the learned counsel for the petitioner that 4th respondent has filed O.S. 215/80 before the Civil Judge, Hubli claiming title over the properties in question and that was decreed in favour of the petitioner. Again the 4th respondent has filed R.A. 31/89 before the District Judge, Dharwar and the decree has been stayed. In view of the pendency of the civil proceedings the question raised in the writ petition need not be gone into at this stage. The entry made in the mutation register would ultimately depend upon the final adjudication on the issue pending before the appellate Court. I hold that the mutation entry may be made in term of the outcome in the Civil Court. The writ petition stands disposed of as above.

Sd/-
JUDGE

